

THE
STATUTES
OF
THE REALM.

PRINTED BY COMMAND
OF HIS MAJESTY
KING GEORGE THE THIRD.

IN PURSUANCE OF AN ADDRESS OF
THE HOUSE OF COMMONS
OF GREAT BRITAIN.

From Original Records and Authentic Manuscripts.

VOLUME ONE

EXHIBIT C (Rivas)

A.D.1351-2.

25° EDW. III. Stat. 5. c.1, 2.

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Statutū apud Westm̄ in p'liamento in festo S'ci Hillarit anno regni
Regis E. t'ci vicesimo q'nto tento, f'cm.

In Margine
Rotuli.

A STATUTE made at WESTMINSTER ;
In the Parliament holden in the Feast of Saint Hilary ;
In the TWENTY-FIFTH Year of the Reign of K. EDWARD the THIRD.

Ex magno Rot. Stat. in Turr. Lond. m. 16.

STATUTE THE FIFTH.

AU plement somonz a Westm̄, en la feste de Seint Hiller lan du regne nře Seign' le Roi Edward Dengleſtre vintisme quint, & de France douzisme, nře f' le Roi del assent des Prelatz, Ducs, Countes, Barons, & de tout la communalte de son Roialme Dengleſtre, au dit plement somons, al hon' de Dieu & de Seinte Eglise, & en amendement de son dit Roi-alme, ad ordeine & establi les choses soutzescriptes.

En p'mes, p'ce q' tresg'untz & tresout'geouses damages & grevances sont faites au poeple p' les pno's & p'veo's des vitailles p' les hosteux nre & le Roi, ma dame la Roigne, & de lo' enfantz, Si est acorde & assentuz en le dit plement, q' les pno's & p'veo's des bledz p' les ditz hosteux les p'gnent p' mesure rase, selonc ceo q' hōme use pmy le Roialme. Et q' touz bledz, feyns, litere & bestaill, & touz aut's vitailles & choses quecūques, queles sont aprendre p' meismes les hosteux, soient p'sez a la Vroie value, p' les Conestables & aut's bons gentz des villes ou tieles prises se feront, sanz ce q' p manaces, ou duresces soient les preisours chacez a mettre autre pris q' lour sement ne voet, & come curt cōement en les p'scheins marchees : et q' entre les Purveours et ceux des queux les biens s'ront prises, en la p'sence des Conestables & preisours, soient tailles tantost faites, saunz ceo q' les gentz des queux les biens s'ront prises soient aillours traitz ou t'vaillez ; & meismes les tailles ensealez des seals les pnours des choses issint prises, p' les queles tailles gre soit fait as ceux des queux les choses s'ront issint prises : et si nul pnour ou P'veour p' les ditz hosteux face p' autre mañe, soit maintenant arestu p' la ville ou la prise sra faite, et mesne a la p'scheine gaole, et si de ceo soit atteint, soit la fait de lui come de laron, si la quantite des biens le demand ; solonc ceo q'en un estatut fait en temps meisme nre & le Roi lan de son regne quint, & en un autre estatut fait en temps laiel nre Seign' le Roi s' tieles prises, est contenuz plus au plein : et q' desore soit contenuz es cōmissions des tieux P'veours et pnours, lentent et la peine contenuz en cest estatut : et q' nule cōmission soit faite forsq, soulement souz les g'nt ou prive sealx le Roi ; ne q' nul hōme soit tenuz de obeier a autre cōmission nen autre mañe q' nest dit en avant; et q' meisme lestatut tiegne lieu en toutz pointz dev's chescun pnour & p'veour, de chescune mañe des vitailles en chescune prie du Roialme de quelle condition cil soit

Auxint p'ceo q̄ diſſes opinions ouint este einz ces
heures queu cas, q'nt il avient doit estre dit treson, &
en quel cas noun, le Roi a la requeste des Seign's & de
la Cōc. ad fait declarissement ū ensuit. Cest assavoir :

AT the Parliament summoned at Westminster in the
Feast of St. Hilary, the Year of the Reign of our
Lord King Edward the Third [after the Conquest,]
of England the Five and twentieth, and of France the
Twelfth; our said Lord the King, by the assent of the
Prelates, Earls, Barons, and of all the Commonalty of
his Realm of England summoned to the Parliament, to
the honour of God and Holy Church, and in Amend-
ment of his said Realm, hath ordained and established
the Things underwritten.

FIRST, Forasmuch as great and outrageous damage and grievance hath been done to the People by the Takers and Purveyors of Victuals, for the Houses of our Sovereign Lord the King, the Queen, and their Children; It is accorded and assented in the said Parliament, That the Takers (') of Corn for the said Houses shall take the same by Measure striked according as it is used through the Land. And that such Corn, Hay, Litter, Bestall and all other Victuals and Things, which shall be taken for the said Houses, shall be [taken'] by the very Value, by the Constable and other good People of the Towns where such Taking shall be made, without that that the Praisers by Menace or Duress shall be driven to set any other Price than their Oath will, and as commonly runneth in the next Markets. And that betwixt the Purveyors and them whose Goods shall be taken in the presence of the Constables and Praisers, Tallies be made incontinently, without that the People whose Goods shall be taken, shall be drawn or travelled elsewhere, and the same Tallies sealed with the Seals of the Takers of the Things so taken, by which Tallies Gree shall be made to them whose Goods shall be so taken; and if any Purveyor or Taker for the said Houses, do in any other Manner, he shall be [maintenant'] arrested by the Town where the Taking shall be made, and brought to the next Gaol; and if he be thereof attainted, it shall be done of him as of a Thief, if the Quantity of the Goods the same require; according as in a Statute made in the Time of our Sovereign Lord the King that now is, the Fifth Year of his Reign, and in another Statute made in the Time of the King's Grandfather upon such Takings, is contained more at the full: and that from henceforth in the Commissions of such Takers and Purveyors, the Intent and Pain limited in this Statute shall be contained: and that no Commission be made, but only under the King's great Seal or Privy Seal; nor that no Man be bound to obey [any such Commissions, other or in what Manner'] than is aforesaid; and that the same Statute take place in all Points against every Taker and Purveyor of every Manner of Victual in every part of the Realm, of what Condition soever he be.

ITEM, Whereas divers Opinions have been before this Time [in what Case Treason shall be said, and in what not ;] the King, at the Request of the Lords and of the Commons, hath made a Declaration in the Manner as hereafter followeth, that is to say : When a Man

I.
Corn shall
be taken by
Purveyors
by Measure
striken

Things taken
by Purveyors
shall be
appraised
at the very
Value.

Tallies of
the Goods
taken

Punishment
for undue
Purveyance
as under Stat.
s E. III. c. 3.

Purveyors' Commissions shall be under the Great or Privy Seal.

II.
Declaration
what Offences
shall be
adjudged
Treason.

Compassing
the Death of
the King,
Queen, or
their eldest
Son ;
violating the
Queen, or the
King's eldest
Daughter
unmarried,
or his eldest
Son's Wife ;
levying War ;
adhering to
the King's
Enemies ;
counterfeiting
the King's
Seals, or
Money ;
importing
counterfeit
Money ;
killing the
Chancellor,
Treasurer, or
Judges in
Execution of
their Duty.
The King
shall have the
Forfeiture
of all the
Offenders'
Lands.
Petit Treason.
Forfeiture
of the Lands
to the Lords.
New
Questions
of Treasons
shall be
decided in
Parliament.

**Certain
Offences not
Treason.**

In such Cases
already
happened,
the Chief
Lords shall
have the
Escheats.

Saving the King's Year and Waste.

Scire facias
to Terre-
tenants, &c.

III. Challenge of

**an Indictor
upon an
Inquest.**

doth compass or imagine the Death of our Lord the King, or of our Lady his [Queen'] or of their eldest Son and Heir; or if a Man do violate the King's [Companion,] or the King's eldest Daughter unmarried, or the Wife ('') the King's eldest Son and Heir; or if a Man do levy War against our Lord the King in his Realm, or be adherent to the King's Enemies in his Realm, giving to them Aid and Comfort in the Realm, or elsewhere, and thereof be [probably'] attainted of open Deed by [the People'] of their Condition: And if a Man counterfeit the King's Great or Privy Seal, or his Money; and if a Man bring false Money into this Realm, counterfeit to the Money of England, as the Money called Lushburgh, or other, like to the said Money of England, knowing the Money to be false, to merchandise or make Payment in Deceit of our said Lord the King and of his People; and if a Man slea the Chancellor, Treasurer, or the King's Justices of the one Bench or the other, Justices in Eyre, or Justices of Assise, and all other Justices assigned to hear and determine, being in their Places, doing their Offices: And it is to be understood, that in the Cases above rehearsed, [that'] ought to be judged Treason which extends to our Lord the King, and his Royal Majesty: And of such Treason the Forfeiture of the Escheats pertaineth to our Sovereign Lord, as well of the Lands and Tenements holden of other, as of himself: And moreover there is another manner of Treason, that is to say, when a Servant slayeth his Master, or a Wife her Husband, or when a Man secular or Religious slayeth his Prelate, to whom he oweth Faith and Obedience; and [of such Treason the Escheats ought to pertain'] to every Lord of his own Fee: And because that many other like Cases of Treason may happen in Time to come, which a Man cannot think nor declare at this present Time; It is accorded, That if any other Case, supposed Treason, which is not above specified, doth happen ('') before any Justices, the Justices shall tarry without any going to Judgement of the Treason, till the [Cause'] be shewed [and declared before the King and his Parliament,] whether it ought to be judged T'reason or [other''] Felony. And if percase any Man of this Realm ride armed [covertly''] or secretly with Men of Arms against any other, to slay him, or rob him, or take him, or retain him till he hath made Fine or Ransom for to have his Deliverance, it is not the Mind of the King nor his Council, that in such Case it shall be judged T'reason, but shall be judged Felony or Trespass, according to the Laws of the Land of old Time used, and according as the Case requireth. And if in such Case, or other like, before this Time any Justices have judged T'reason, and for this Cause the Lands and Tenements have comen into the King's hands as Forfeit, the chief Lords of the Fee shall have the Escheats of the Tenements holden of them, whether that the same Tenements be in the King's hands, or in others, by Gift or in other Manner; Saving always to our Lord the King the Year, and the Waste, and the Forfeitures of Chattels, which pertain to him in the Cases above named; and that [the Writs''] of Scire facias be granted in such Case against the Land-tenants, without other Original, and without allowing [any Protection''] in the said Suit; and that of the Lands which be in the King's hands, Writs be granted to the Sheriffs of the Counties where the Lands be, to deliver them out of the King's hands without Delay.

ITEM, It is accorded, That no Indictor shall be put in Inquests upon Deliverance of the Indictees of Felonies or Trespass, if he be challenged for that same cause by him which is so indicted.

¹ Wife	³ of	
² proveably <i>MS. Tr. 2.</i>	⁴ People	⁵ it
⁶ such Manner of Treason giveth <i>Forfeiture of Escheats</i>		
⁷ of new, <i>MS. Tr. 2.</i>	⁸ Case	
⁹ before the King in his Parliament, and it be declared		
¹⁰ else	¹¹ openly	
¹¹ Writs	¹² the Protection of our Lord the King	

q'nt hōme fait compasser ou ymaginer la mort nře Seign' le Roi, ma dame sa compaigne, ou de lour fitz primer & heir ; ou si hōme violast la compaigne le Roi, ou leisnesce filt le Roi nient marie, ou la compaigne leisne fitz & heir du Roi ; & si hōme leve de guerre contre nře dit Seign' le Roi en son Roialme, ou soit aherdant as enemys nře Seign' le Roi en le Roialme, donant a eux eid ou confort en son Roialme ou p aillours, & de ceo pvablement soit atteint de ovt faite p gentz de lour condicion : et si hōme contre-face [les g'nt ou prive sealx le Roi,'] ou sa monoie, et si hōme apport faus monoie en ceste Roialme contrefaite a la monoie Dengleſtre, sicome la monoie appelle [Lucynburgn'] ou autre semblable a la dite monoie Dengleſtre, sachant la monoie estre faus, p' marchander, ou paiemment faire en deceit nře dit Seign' le Roi & son poeple ; et si hōme tuast Chanceller, Tresorer, ou Justice nře Seign' le Roi del un Baunk ou del autre, Justice en Eir & des assises & toutes auſs Justices assignez a oier & Pminer esteiantz en lours places en fesantz lours offices : et fait a entendre qen les cases suisnomez doit estre ajugge treson [q' sestent'] a nře Seign' le Roi & a sa roial majeste ; et de tiele maſle de treson la forſait'e des eschetes apptient a nře Seign' le Roi, si bien des Pres & teñz tenuz des auſs, come de lui meismes : et ovesq, ceo il yad autre maſle de treson, cest assavoir q'nt un ḡvant tue son meistre, une fēme q' tue son baron, q'nt hōme seculer ou de religion tue son Prelat, a q' il doit foi & obedience ; & tiele maſle de treson donn forſait'e des eschetes a chescun Seign' de son fee ppre : et p' ceo q' plusurs auſs cases de semblable treson p'ront escheer en temps a venir, queux hōme ne p'ra penser ne declarer en pſent, assentu est q' si autre cas supposee treson q' nest especifie p amount aviegne de novel devant ascunes Justices, demoerge la Justice saunz aler au juggement de treson, tanq, p devant nře Seign' le Roi [en'] son plement soit le cas monstree & desclarre le quel ceo doit estre ajugge treson ou autre felonie. Et si p cas ascun hōme de cest Roialme chivach̄ arme discovert ou secrement od gentz armées contre ascun autre, p' lui tuer ou derober, ou p' lui ḡndre & retenir tanq face fyn ou rounceon p' sa deliverance avoir, nest pas lentent du Roi & de son conseil q' en tiel cas soit ajugge treson, einz soit ajugge felonie ou p'spas solonc la lei de la Pre auncienement usee, & solonc ceo q' le cas demand : et si en tieu cas, ou autre semblable devant ces heures, ascune Justice eit ajugge treson, & p celle cause les Pres & teñz soient devenuz en la main nře Seign' le Roi come forſaitz, eient les chiefs Seign's de fee lours eschetes des teñz de eux tenuz, le quel q' les teñz soient en la main nře Seign' le Roi, ou en la main des auſs, p donn ou en autre maſle ; Sauvant toteſcoitz a nře Seign' le Roi lan & le wast, & auſs forſait'es des chateux q' a lui attenant en les cases suisnomiez ; et q' briefs de Scire faſ v̄s les Pres tenantz soient g'ntez en tieu cas, saunz autre originale & saunz allower la pteccion nře Seign' le Roi en la dite seute ; et q' de les Pres q' sont en la main le Roi, soit g'nte brief as viscontes des Countees la ou les Pres gront de ostier la main le Roi saunz outre delaie.

Auxint acorde est, q nul enditor soit mys en en-
quest s' la delivrance del endite de l'spas ou de felonie,
sil soit chalange p tiele cause p celui qest endite.

¹ le grant seal le Roi, Rot. Parl. 25 E. 3. P. II. nu. viij. (17.)
² Lusseburgh Rot. Parl. ³ q ce estent Rot. Parl.